



Magistrates' Courts Act 1980

1980 CHAPTER 43

PART VII

MISCELLANEOUS AND SUPPLEMENTARY

Fees, fines, forfeitures, etc.

137 Fees.

- (1) Subject to the provisions of this section, the court fees set out in Part I of Schedule 6 to this Act, and no others, shall be chargeable by clerks of magistrates' courts; and any enactment providing for the payment of any fees for the payment of which provision is made in the said Part I shall have effect accordingly.
- (2) No fee shall be chargeable by a clerk of a magistrates' court in respect of any matter specified in Part II of the said Schedule.
- (3) Nothing in this section shall affect the fees chargeable in respect of the matters specified in Part III of the said Schedule.
- (4) The [^{F1}Lord Chancellor] may from time to time by order make such variations in Part I of the said Schedule as may seem to him proper.
- (5) The power to make an order under subsection (4) above shall be exercisable by statutory instrument; and a draft of any such statutory instrument shall be laid before Parliament.
- (6) This section shall apply to magistrates' courts held by metropolitan stipendiary magistrates as it applies to other magistrates' courts.

Textual Amendments

- F1** Words in s. 137(4) substituted (1.4.1992) by S.I. 1992/709, art. 2(3), Sch.1

Status: Point in time view as at 10/04/1995.

Changes to legislation: Magistrates' Courts Act 1980, Cross Heading: Fees, fines, forfeitures, etc. is up to date with all changes known to be in force on or before 21 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Modifications etc. (not altering text)

- C1** S. 137(1) excluded by [Sporting Events \(Control of Alcohol etc.\) Act 1985 \(c. 57, SIF 39:2\)](#), **s. 4(6)**
C2 S. 137(4): functions of the Secretary of State transferred (1.4.1992) to the Lord Chancellor by [S.I. 1992/709](#), art. 2(1), **Sch.1**

138 Remission of fees

A magistrates' court may on the ground of poverty or for other reasonable cause remit in whole or in part any fee payable in proceedings before the court.

139 Disposal of sums adjudged to be paid by conviction.

A clerk of a magistrates' court shall apply moneys received by him on account of a sum adjudged to be paid by a summary conviction as follows—

- (a) in the first place in payment of any compensation adjudged by the conviction to be paid to any person;
- (b) in the second place in payment of any costs so adjudged to be paid to the prosecutor; and
- (c) the balance to the fund to which, or the person to whom, he is required to pay the sum by section 61 of the Justices of the ^{M1}Peace Act 1979 or any other enactment relating to the sum.

Marginal Citations

- M1** 1979 c. 55.

140 Disposal of non-pecuniary forfeitures.

Subject to any enactment relating to customs or excise, anything other than money forfeited on a conviction by a magistrates' court or the forfeiture of which may be enforced by a magistrates' court shall be sold or otherwise disposed of in such manner as the court may direct; and the proceeds shall be applied as if they were a fine imposed under the enactment on which the proceedings for the forfeiture are founded.

Modifications etc. (not altering text)

- C3** S. 140 excluded by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), **s. 80(12)**
C4 S. 140 excluded by [Wireless Telegraphy Act 1949 \(c. 54, SIF 96\)](#), **s. 14(3C)** (as substituted by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), **s. 82**)
C5 S. 140 excluded (E.W.) by [Prevention of Terrorism \(Temporary Provisions\) Act 1989 \(c. 4, SIF 39:2\)](#), **s. 13(8)**, **Sch. 4 para. 1(7)**
C6 S. 140 excluded (19.2.2001) by [2000 c. 11, s. 23\(9\)](#), **Sch. 4 para. 2(4)**; [S.I. 2001/421](#), **art. 2**
C7 S. 140 excluded (25.7.2003) by [The Advanced Television Services Regulations 2003 \(S.I. 2003/1901\)](#), **reg. 8**, **Sch. para. 8(10)**
S. 140 excluded (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), **ss. 103, 126**, **Sch. 5 para. 6**

Status:

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